

REMARKS

I. INTRODUCTION

Claims 2, 7, 9-19, 21, 26, 28-38 and 40 were previously cancelled. Claims 1, 3-6, 8, 20, 22-25, 27, 39 and 41-43 remain pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 1, 3, 8, 20, 22, 27, 39 and 41-43 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,507,734 to Berger et al. (hereinafter “Berger”) in view of U.S. Patent No. 5,652,602 to Fishman et al. (hereinafter “Fishman”). (See 11/14/08 Office Action, p. 4).

Claim 1 recites “[a] method for configuring a mobile device, comprising: receiving a video signal encoded with configuration data from an interface unit proximate the mobile device; configuring the mobile device based on the configuration data; and *initiating a connection between the mobile device and a communication network responsive to configuring the mobile device.*”

Berger describes a handset with the capability to establish a radio frequency link with the base station. (See Berger col. 4, ll. 6-9). In Berger, the base station is hard wired to the public switched telephone network. (See Berger, col. 4, ll. 10-12, Fig. 1). The Examiner maintains that “the radio frequency link is seen to be the connection that is initiated between the mobile device and the communication network.” (See 11/14/08 Office Action, p. 3).

It was previously argued that the handset in Berger is only capable of establishing a radio frequency link with the base station. (See Berger, col. 2, ll. 50-58, col. 4, ll. 10-12, Fig. 1). The handset is not capable of establishing any direct or independent link with the public switched

telephone network. Additionally, the handset is not capable of establishing a secure link to the public switched telephone network. In response, the Examiner cites to the Specification of the present invention to analogize the reasoning that is provided to obviate claim 1. Specifically, the Examiner refers to an exemplary embodiment described in the Specification where the mobile device 110 connects to the network 120 through the interface unit 130 for communication, as opposed to directly to the network 120 as illustrated in Figure 1. (See Specification, p. 8, l. 22 – p. 9, l. 5). It is respectfully submitted that the cited portion of the Specification relied upon by the Examiner merely refers to an exemplary embodiment of the present invention but not to the recitation of claim 1.

Claim 1 recites “[a] method for configuring a mobile device, comprising: receiving a video signal encoded with configuration data from an interface unit proximate the mobile device; configuring the mobile device based on the configuration data; and *initiating a connection between the mobile device and a communication network responsive to configuring the mobile device.*” That is, the configuration data that was received is used to configure the mobile device so that a connection between the mobile device and the communication network may be established. The exemplary embodiment referred to by the Examiner relates to one of the forms that the interface unit may take. However, according to the exemplary embodiments of the present invention as recited in claim 1, the mobile device is seeking to establish a connection for accessing a network (See Specification, p. 6, ll. 20-23), not to strictly use the base station as an intermediary to establish the connection for accessing the network, as is the case in Berger. Thus, the mobile device “receiv[es] a video signal encoded with configuration data from an interface unit.” The exemplary embodiment referred to by the Examiner is when the interface unit is configured to function in a substantially similar manner as an access point, as is the case in Berger. However, the connection of the handset of Berger with the base station is *not* a connection between a mobile device and a communication network.

It appears that the Examiner relies upon Fishman merely to address Berger not explicitly disclosing the use of a video signal. However, it is also respectfully submitted that Fishman also does not disclose or suggest the above recitation of claim 1. Thus, neither Berger nor Fishman, either alone or in combination, discloses or suggests “[a] method for configuring a mobile

device, comprising: receiving a video signal encoded with configuration data from an interface unit proximate the mobile device; configuring the mobile device based on the configuration data; and *initiating a connection between the mobile device and a communication network responsive to configuring the mobile device,*” as recited in claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable and the Examiner should withdraw the 35 U.S.C. § 103(a) rejection for this claim. Because claims 3, 8 and 41-42 depend from and therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 1.

Claim 20 recites “[a] mobile device, comprising: a video sensor; and a processing unit coupled to the video sensor and adapted to receive a signal encoded with configuration data through the video sensor from an interface unit proximate the mobile device and configure the mobile device based on the configuration data, wherein the processing unit is further adapted to initiate a connection with a communication network responsive to configuring the mobile device.” Thus, it is respectfully submitted that claim 20 is also allowable for at least the same reasons as claim 1. Because claims 22, 27 and 43 depend from and, therefore, include all of the limitations of claim 20, it is respectfully submitted that these claims are also allowable.

Claim 39 recites “[a]n apparatus, comprising: means for receiving a video signal encoded with configuration data from an interface unit proximate a mobile device; and means for configuring the mobile device based on the configuration data; and means for initiating a connection between the mobile device and a communication network responsive to configuring the mobile device.” Thus, it is respectfully submitted that claim 39 is also allowable for at least the same reasons as claim 1.

Claims 4-6 and 23-25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of Fishman in further view of “Wireless Headset HDW-2 User’s Guide” to Nokia (hereinafter “HDW-2 User’s Guide”). (See 11/14/08 Office Action, p. 11).

Applicants respectfully submit that HDW-2 User’s Guide does not disclose or suggest “[a] method for configuring a mobile device, comprising: receiving a video signal encoded with

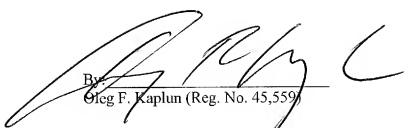
configuration data from an interface unit proximate the mobile device; configuring the mobile device based on the configuration data; and *initiating a connection between the mobile device and a communication network responsive to configuring the mobile device,*” as recited in claim 1. Therefore, it is respectfully submit that neither Berger, Fishman, nor HDW-2 User’s Guide, either alone or in combination, discloses or suggests this recitation of claim 1. Because claims 4-6 and 23-25 depend from and, therefore, include all the limitations of allowable claims, it is respectfully submitted that these claims are also allowable for at least the same reasons given above.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: February 3, 2009


By: _____
Greg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Phone: 212-619-6000
Fax: 212-619-0276